

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Sep 24, 2021

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

5 RICHARD LEROY M.,¹

6 Plaintiff,

7 v.

8 KILOLO KIJAKAZI, ACTING
9 COMMISSIONER OF SOCIAL
SECURITY,

10 Defendant.

NO: 1:21-CV-03003-LRS-1

11 ORDER GRANTING STIPULATED
12 MOTION FOR REMAND

13 BEFORE THE COURT is the Defendant's Stipulated Motion for Remand,
14 ECF No. 18. Based on the stipulation of the parties, the Court finds good cause to
15 grant the motion. Accordingly, **IT IS HEREBY ORDERED:**

- 16 1. Defendant's Stipulated Motion for Remand, **ECF No. 18** is **GRANTED**.
- 17 2. This case is **REVERSED** and **REMANDED** for further administrative
18 proceedings pursuant to sentence four of 42 U.S.C. § 405(g).
- 19 3. On remand, the Administrative Law Judge shall: (1) reconsider the
20 medical opinion evidence of record; (2) as warranted, reevaluate

21 ¹ The court identifies a plaintiff in a social security case only by the first name and
last initial in order to protect privacy. *See* LCivR 5.2(c).

1 Plaintiff's maximum residual functional capacity; (3) if warranted by the
2 expanded record, obtain supplemental vocational expert evidence to
3 clarify the effect of the assessed limitations on Plaintiff's ability to
4 perform other work in the national economy; and (4) offer Plaintiff the
5 opportunity for a hearing, take any further action needed to complete the
6 administrative record, and issue a new decision.

7 4. Upon proper presentation, this Court will consider Plaintiff's application
8 for costs, expenses, and reasonable attorney's fees under the Equal
9 Access to Justice Act, 28 U.S.C. § 2412(a), (d).

10 5. Plaintiff's Motion for Summary Judgment, **ECF No. 13**, and the hearing
11 and remaining briefing schedule are **VACATED** as moot.

12 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
13 Order and provide copies to counsel. Judgment shall be entered for Plaintiff and
14 the file shall be **CLOSED**.

15 **DATED** September 24, 2021.

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LONY R. SUKO

18 Senior United States District Judge
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